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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Ralph H. Johnson, et al.**

Docket No.

15436.435.1.2

Application No.

10/617,892

Filing Date

July 11, 2003

Examiner

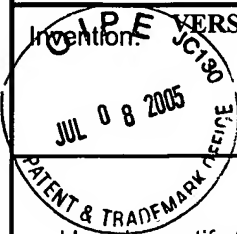
James A. Menefee

Customer No.

022913

Group Art Unit

2828

Invention: **VERSATILE METHOD AND SYSTEM FOR SINGLE MODE VCSELS**

I hereby certify that the following correspondence:

Response to Election of Species Requirement (2 pgs); Transmittal Letter (1 pg in duplicate); and Postcard

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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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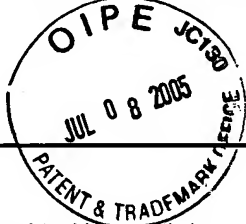
**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
15436.435.1.2

In Re Application Of: **Ralph H. Johnson, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/617,892	July 11, 2003	James A. Menefee	022913	2828	4059

Title: **VERSATILE METHOD AND SYSTEM FOR SINGLE MODE VCSELS**



COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Response to Election of Species Requirement (2 pgs); Certificate of Mailing by "Express Mail"; and Postcard**

in the above identified application.

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\_\_\_\_\_  
Signature

Dated: July 8, 2005

**Peter F. Malen, Jr.**  
Attorney for Applicants  
Reg. No. 45,576  
Telephone No. 801-533-9800

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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Typed or Printed Name of Person Mailing Correspondence

CC:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

	Ralph H. Johnson, et al.	)	
Serial No.:	10/617,892	)	Art Unit
Filed:	July 11, 2003	)	2828
Conf. No.:	4059	)	
For:	VERSATILE METHOD AND SYSTEM FOR SINGLE MODE VCSELS	)	
Examiner:	James A. Menefee	)	
Customer No.:	022913	)	

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT****MAIL STOP: AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In the Office Action mailed June 23, 2005 (the "Office Action"), the Examiner set forth an Election of Species Requirement that identified what the Examiner has characterized as three (3) patentably distinct species of the claimed invention. In particular, the Examiner suggested in the Office Action that the present application contains claims directed to the following species:

- I: Devices with heat conducting layers, no isolation layers (Claims 32-40, 61-63);
- II: Devices with heat conducting layers and isolation layers (Claims 41-60, 64-65); and
- III: Devices with no heat conduction layers (Claims 66-71).

In response to the Election of Species Requirement set forth in the Office Action, Applicant hereby elects Species III (devices with no heat conduction layers) for examination, without traverse. Claims 66-71 are

readable on Species III, and claim 66 is believed to be generic inasmuch as claim 66 recites neither heat conduction layers nor isolation layers.

Applicant's election herein is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species that are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested. In the event that the Examiner wishes to discuss any of the matters contemplated hereby, the Examiner is invited to initiate a telephone conversation with the undersigned.

DATED this 8<sup>TH</sup> day of July, 2005.

Respectfully submitted,



PETER F. MALEN JR.  
Attorney for Applicants  
Registration No.: 45,576  
Customer No.: 022913  
Telephone No.: (801)533-9800